

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

62790 (4590-340)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/510385

INTERNATIONAL APPLICATION NO.

PCT/FR03/01012

INTERNATIONAL FILING DATE

April 1, 2003

PRIORITY DATE CLAIMED

April 12, 2002

TITLE OF INVENTION

**METHOD FOR THE PRODUCTION OF A MICROSTRUCTURE COMPRISING A VACUUM  
CAVITY AND A MICROSTRUCTURE**

APPLICANT(S) FOR DO/EO/US

**Pierre-Olivier LEFORT; Isabelle THOMAS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) as indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)) is submitted herewith.
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) submitted herewith.
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) is submitted herewith.

**Items 11 to 20 below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording (including a separate cover sheet in compliance with 37 CFR 3.28 and 3.31)
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under CFR 1.76
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)
20. ☒ Other items or information: 1<sup>st</sup> page WO 03/086957 A1; PCT/IB/304

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.53)<br><b>10/510385</b> | INTERNATIONAL APPLICATION NO.<br><b>PCT/FR03/01012</b> | ATTORNEY'S DOCKET NUMBER<br><b>62790 (4590-340)</b> |
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| 21. <input checked="" type="checkbox"/> The following fees are submitted:<br><br><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b><br><br>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$ 1,110.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$ 950.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$ 790.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$ 750.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$ 100.00</b><br><br><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> | <b>CALCULATIONS    PTO USE ONLY</b><br><br><br><br><br><br><br><br><br><br><table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: right;"><b>\$ 950.00</b></td> <td style="width: 50%;"></td> </tr> </table> | <b>\$ 950.00</b> |  |
| <b>\$ 950.00</b>   |  |                  |  |

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| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). |  |  |  |  | <b>\$ 0.00</b> |  |
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| CLAIMS                                      | NUMBER FILED |        | NUMBER EXTRA | RATE       |                  |  |
|---|--------------|--------|--------------|------------|------------------|--|
| Total Claims                                | 18           | - 20 = | 0            | × \$18.00  | <b>\$ 0.00</b>   |  |
| Independent Claims                          | 2            | - 3 =  | 0            | × \$88.00  | <b>\$ 0.00</b>   |  |
| Multiple dependent claim(s) (if applicable) |              |        |              | + \$300.00 | <b>\$ 0.00</b>   |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>        |              |        |              |            | <b>\$ 950.00</b> |  |

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| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. |  |  |  |  | <b>\$ 0.00</b>   |  |
| <b>SUBTOTAL =</b>  |  |  |  |  | <b>\$ 920.00</b> |  |

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| Processing fee of <b>\$130.00</b> for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)). |  |  |  |  | <b>\$ 0.00</b>   |  |
| <b>TOTAL NATIONAL FEE =</b>  |  |  |  |  | <b>\$ 950.00</b> |  |

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| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property |  |  |  |  | <b>\$ 40.00</b>  |  |
| <b>TOTAL FEES ENCLOSED =</b>   |  |  |  |  | <b>\$ 990.00</b> |  |

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|  | Amount to be refunded: | \$ |
|  | charged:               | \$ |

a. ☐ A check in the amount of \$ \_\_\_\_\_ .00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 07-1337 in the amount of \$ \_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1337. A duplicate copy of this sheet is enclosed.


c. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. Kindly use the attorneys' address associated with the following Customer Number for future correspondence.

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| SEND ALL CORRESPONDENCE TO:<br><br>LOWE HAUPTMAN GILMAN & BERNER, LLP<br>1700 Diagonal Road, Suite 300<br>Alexandria, VA 22314<br>(703) 684-1111 | Customer No.<br><b>33308</b><br>PATENT TRADEMARK OFFICE |
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| SIGNATURE<br><br><b>Kenneth M. Berner</b><br>NAME<br><b>37,093</b><br>REGISTRATION NUMBER |
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